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| Case Number: | CM13-0059991 | | |
| Date Assigned: | 12/30/2013 | Date of Injury: | 12/27/1999 |
| Decision Date: | 03/24/2014 | UR Denial Date: | 11/20/2013 |
| Priority: | Standard | Application Received: | 12/03/2013 |

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to a physician reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Chiropractic & Acupuncture and is licensed to practice in California. He/she has been in active clinical practice for more than five years and is currently working at least 24 hours a week in active practice. The physician reviewer was selected based on his/her clinical experience, education, background, and expertise in the same or similar specialties that evaluate and/or treat the medical condition and disputed items/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

The patient reported knee, hand, extremities, hip, back and pain from injury sustained on 12/27/99. X-rays showed moderate to severe degenerative arthritic changes with mild osteopenia and left hip shows moderate degenerative changes. Patient was diagnosed with industrial Rheumatoid arthritis and hypertension. Patient has been treated with medication and acupuncture. Patient has had acupuncture 2 x weeks for the last 10 years. Per notes, patient had remarkable progress with the transition from being wheelchair bound to be able to ambulate without any aid. Notes dated 11/6/13 indicate that she has been able to stop taking her NSAIDs due to improvement with acupuncture. She is unable to tolerate NSAIDs which are used to treat industrial RA because it causes gastrointestinal bleeding. Patient has had long term symptomatic or functional relief with acupuncture care. Patient continues to have pain and flare-ups when no treated with acupuncture; she is forced to take medication which causes her anemia.

IMR ISSUES, DECISIONS AND RATIONALES

The Final Determination was based on decisions for the disputed items/services set forth below:

acupuncture 1 x a week for 2 months: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation <http://www.ncbi.nlm.nih.gov/pubmed/10515648>

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Per MTUS- Section 9792.24.1 Acupuncture Medical treatment Guidelines page 8-9. "Acupuncture is used as an option when pain medication is reduced and not tolerated, it may be used as an adjunct to physical rehabilitation and/or surgical intervention to hasten functional recovery". "Time to produce function improvement: 3-6 treatments. 2) Frequency: 1-3 times per week. 3) Optimum duration: 1-2 months. Acupuncture treatments may be extended if functional improvement is documented". Patient has had prior acupuncture treatment. There is sufficient evidence that acupuncture is beneficial to the patient. She had remarkable progress with the transition of being wheel chair bound to be able to ambulate without any aid. She is able to discontinue pain medication and have increase mobility with consistent treatment. She is unable to tolerate NSAIDs which are used to treat industrial RA because it causes gastrointestinal bleeding. Patient has had long term symptomatic or functional relief with acupuncture care. Patient continues to have pain and flare-ups when no treated with acupuncture; she is forced to take medication which causes her anemia. Additional visits may be rendered if the patient has documented objective functional improvement. Per MTUS guidelines, functional improvement means either a clinically significant improvement in activities of daily living or a reduction in work restrictions as measured during the history and physical exam. Per review of evidence and guidelines, acupuncture treatments 1 x a week for 2 months are medically necessary.